

**CITY OF SAN DIEGO  
M E M O R A N D U M**

DATE: March 25, 2011

TO: Balboa Park Committee, Agenda of April 7, 2011

FROM: Kathleen S. Hasenauer, Deputy Director, Developed Regional Parks Division

SUBJECT: San Diego Museum of Art Display of Calder Artwork

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**SUMMARY**

Issue - Should the Balboa Park Committee recommend approval of the extended display period for the Calder sculpture at the San Diego Museum of Art?

Department Recommendation - Recommend approval of the extended display period for the Calder sculpture at the San Diego Museum of Art.

Other Recommendations – None

Fiscal Impact - Funding for installation, maintenance and de-installation of the artwork will be the responsibility of the San Diego Museum of Art.

Environmental – This activity is categorically exempt from CEQA pursuant to State CEQA Guidelines Sections 15311 (c), Accessory Structures, and Section 15331, Historic Resource Restoration/Rehabilitation.

**BACKGROUND**

The San Diego Museum of Art (SDMOA) is located on the north side of the Plaza de Panama in the center of Balboa Park. The main building was constructed in 1926 as the Fine Arts Palace and has served as an art museum ever since (with the exception of Naval Hospital occupation during the 1940's). The building was designed by renowned Architect William Templeton Johnson, and is a contributing element to the Park's National Historic Landmark District.

In June of 2009 the SDMOA installed an artwork titled "Spinal Column" by Alexander Calder. Staff subsequently informed the SDMOA of the requirements for displaying artwork in public spaces. While the artwork is located within the SDMOA leasehold, it is in an area readily visible to the public and considered a public space. An application was then processed through the City's Commission for Arts and Culture for a temporary display of the artwork. The Balboa Park Committee was notified as an information item in September of 2009.

In accordance with the original permit the artwork was to be installed from June 28, 2009 to June 14, 2010. That date has lapsed, and the SDMOA wishes to extend the exhibit to June 14, 2012.

The City of San Diego Municipal Code, Chapter 2, Article 6, Division 7, Article 26.0722 specifies no artworks shall be contracted for, exhibited on or erected on public spaces without review and approval by the Commission for Arts and Culture and staff. Commission for Arts and Culture staff have a Department Instruction (DI) that extends the review process to Park and Recreation staff and its advisory bodies when the artwork is to be located on park land. Park and Recreation staff consults with Historic Resources staff and Environmental Analysis Section staff as appropriate for the proposal.

#### DISCUSSION

The artwork has been on display since June of 2009. No additional work or physical impact to the Park is required to continue the exhibit. Upon de-installation the SDMOA will be responsible for restoring the site back to its original condition, which will entail patching of holes in the pavement used to secure the artwork.

Historical Resources staff has reviewed the proposal and has no issues provided the artwork is de-installed on the date specified in the application to the Commission for Arts and Culture (June 14, 2012).

This proposal will be reviewed by the Park and Recreation Board with final recommendation to the Commission for Arts and Culture.

#### ALTERNATIVES:

1. Do not recommend approval of the extended display period for the Calder sculpture at the San Diego Museum of Art.
2. Recommend approval of the extended display period for the Calder sculpture at the San Diego Museum of Art with conditions.

Respectfully submitted,



Kathleen S. Hasenauer  
Deputy Director

KSH/cd

- Attachments: 1. Commission for Arts and Culture Application  
2. Photograph of Artwork



THE CITY OF SAN DIEGO

## APPLICATION FOR TEMPORARY EXHIBITS OF ARTWORK ON CITY OF SAN DIEGO PROPERTY

Thank you for your interest in temporarily exhibiting artwork on property owned by the City of San Diego. Please complete and submit this application to the City of San Diego Commission for Arts and Culture, ATTN: Public Art Program, 1200 Third Avenue, Suite 924, San Diego, CA 92101. Contact City staff at (619) 236-6800 for assistance. Additional sheets may be attached as needed. The City reserves the right to request additional information in order to process an exhibition proposal.

### EXHIBITOR

**Name(s)**

San Diego Museum of Art (SDMA)

**Address**

1450 El Prado

**City**

San Diego

**State**

CA

**Zip Code**

92112

**Country**

USA

**Phone** 619.696.1903 or 619.696.1913

**Fax**

**Email** [jmarkow@sdmart.org](mailto:jmarkow@sdmart.org) or  
[jmalexander@sdmart.org](mailto:jmalexander@sdmart.org)

**Credit Line - Provide the exhibitor's name as it should appear in labels, publications and publicity.**

The San Diego Museum of Art

**Conflict of Interest - Disclose whether the exhibitor has any active contracts with the City or is involved in any stage of negotiations for a City contract.**

SDMA has received an FY09 contract for services from the City through its Organizational Support Program and is expected to receive another contract for services in FY10. The funding source for these contracts is TOT.

### EXHIBITION

**Title of exhibition**

Temporary installation of *Spinal Column* (1968) by Alexander Calder.

**Proposed dates**

28 June 2009 to 14 June <sup>2010</sup>~~2009~~

**(Optional) Proposed City-owned site for placement**

The west side of the front steps of the Museum. See attached photo.

**Description of exhibition**

*Spinal Column* was installed on the front steps of the Museum after having been on loan to the Museum of Contemporary Art San Diego, which displayed it on a low plinth on the corner of Kettner and Broadway until early 2008. Upon receiving the work back from its downtown public display by MCASD, the Museum of Art conducted a major conservation treatment on the work.

The installation on the front steps of the Museum was scheduled to:

- 1) coincide with The Year of Modern Art, which includes our temporary exhibitions, *Calder Jewelry* (on view until 3 January 2010) and *Picasso, Miró, Calder* (on view until 6 December 2009);
- 2) celebrate the recent conservation of the artwork; and
- 3) celebrate our upcoming major installation inside the Museum of our permanent collection of 20<sup>th</sup>-century art from around the world, a collection that has been largely off view for the last 10 years.

*Spinal Column* was purchased in 1968, the year in which it was made, from the artist by Norton and Barbara Walbridge, who were among the institution's most important donors of 20<sup>th</sup> century art. *Spinal Column* was given to the Museum with

the intention that it would be on outdoor display somewhere contiguous to the Museum; for many years it was installed in the May S. Marcy Sculpture Garden. We are delighted to be able to showcase this newly conserved work once again within its permanent home for the broad public to enjoy.

#### Description of installation plan with a timeline

The work was installed by museum staff and conservators on 28 June 2009 and is scheduled to be in this location until 14 June 2010. This timeframe coincides with the Museum's Year of Modern Art exhibition program outlined above.

#### Is the exhibitor willing to provide evidence of fine arts insurance if the City approves the exhibition?

The work is currently insured under our fine arts insurance policy.

**NOTE: If the City approves the exhibition, the exhibitor will be required to meet the City's insurance requirements for commercial general liability, auto liability and worker's compensation.**

### EXHIBITION HISTORY

List the exhibition history including venues and dates for each.

*Spinal Column* has been displayed at the San Diego Museum of Art and at the Museum of Contemporary Art, San Diego.

#### List all publications about and references to the exhibition.

This work was recently mentioned in several articles in the *Union Tribune*, most recently on Sunday, August 23.

### COPYRIGHT

**Does the exhibitor have the authority to give the City of San Diego a non-exclusive, irrevocable, royalty-free license to reproduce artworks in the exhibition for non-commercial purposes?**

Although the Museum owns this sculpture, reproductions of it are still under the artist's copyright. We work closely with the Artists Rights Society (ARS) and the Calder Foundation to clear all reproductive uses of the sculpture.

**If not, will the exhibitor assist the City of San Diego in obtaining a non-exclusive, irrevocable, royalty-free license to reproduce artworks in the exhibition for non-commercial purposes?**

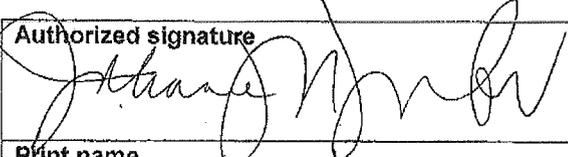
We will certainly work to obtain all rights from the ARS and Calder Foundation where needed by the City.

### OTHER REQUIRED MATERIALS

Please submit the following materials along with this completed form.

- Digital, color images of the artworks in the exhibition
- Digital, color images of the exhibition as installed, if applicable
- ✓• Qualifications of the exhibitor including examples of past exhibits - *on file w/ Commission*
- (Optional) Images of proposed site for placement of the exhibition
- ✓• Itemized list of any costs to be borne by the City for transportation, installation, exhibition, operation, maintenance, conservation, and/or security
- ✓• Exhibition catalogs, publications and/or references, if available
- ✓• Any other information relevant to the exhibition

### EXHIBITOR'S AUTHORIZATION TO INITIATE REVIEW OF AN EXHIBITION PROPOSAL

Authorized signature 	Title Deputy Director, Ops + Fin.
Print name JULIANNE MARKOW	Date 8-26-09
<b>COMMISSION STAFF ONLY</b>	
Received by 	Date 8/26/09

**CALDER JEWELRY**  
JULY 25, 2009  
THROUGH  
JANUARY 3, 2010

